

**SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 22, 2007**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Hagedorn.

The Pledge of Allegiance was led by Jamie Cox, Page.

Approval of Journal

March 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Lynn Luker, State Representative, District 15, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Helen Luker, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Helen Luker of Boise, Idaho, Acting State Representative, District 15, House Seat A, Ada County, State of Idaho, for a term commencing on March 22, 2007, and continuing until March 26, 2007.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 21st day of March in the year of our Lord two thousand and seven, and of the Independence of the United States of America, the two hundred and thirty-first year.

/s/ C. L. "BUTCH" OTTER
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Luker.

March 21, 2007

Mr. Speaker:

I transmit herewith enrolled **S 1128**, as amended, **S 1136**, as amended, **S 1173, S 1143, S 1204, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, SCR 115**, and **SCR 119** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1128**, as amended, **S 1136**, as amended, **S 1173, S 1143, S 1204, S 1206, S 1207, S 1208, S 1209, S 1210, S 1211, S 1212, SCR 115**, and **SCR 119** and, when so signed, ordered them returned to the Senate.

March 21, 2007

Mr. Speaker:

I return herewith **H 249**, as amended, **H 265, H 308, H 309, H 310, H 311, H 312, H 313, H 314, H 267, H 228**, as amended, **H 89, H 91, H 92, H 96, H 97, H 111, H 103**, and **H 104** which have passed the Senate.

WOOD, Secretary

H 249, as amended, **H 265, H 308, H 309, H 310, H 311, H 312, H 313, H 314, H 267, H 228**, as amended, **H 89, H 91, H 92, H 96, H 97, H 111, H 103**, and **H 104** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 328**.

CLARK, Chairman

H 328 was filed for second reading.

March 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 249**, as amended, **H 265, H 308, H 309, H 310, H 311, H 312, H 313, H 314, H 267, H 228**, as amended, **H 89, H 91, H 92, H 96, H 97, H 111, H 103**, and **H 104**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 249**, as amended, **H 265, H 308, H 309, H 310, H 311, H 312, H 313, H 314, H 267, H 228**, as amended, **H 89, H 91, H 92, H 96, H 97, H 111, H 103**, and **H 104**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 21, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1213** and recommend that it do pass.

CLARK, Chairman

S 1213 was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 327, by Appropriations Committee, was read the second time by title and filed for third reading.

S 1138, by Transportation Committee, was read the second time by title and filed for third reading.

S 1180, **S 1202**, and **SCR 121**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 123, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

H 42, as amended in the Senate, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 166, as amended, as amended in the Senate, by Health and Welfare Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 210**, as amended, be placed on General Orders for consideration. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 327** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 327** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 327** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Brackett to open debate.

The question being, "Shall **H 327** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Thayn. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 327** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1142 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **S 1142** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Roberts, Thayn. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1142** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1185 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1185** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Thayn. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1185** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1131 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Shepherd(2) and Mr. Nonini to open debate.

The question being, "Shall **S 1131** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell,

Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 61.

NAYS -- Clark, Roberts, Rusche, Wood(35). Total -- 4.

Absent and excused -- Harwood, Mortimer, Moyle, Smith(24), Thayn. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1131** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1166 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall **S 1166** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Edmunson, Harwood, Mortimer, Moyle, Thayn. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1166** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1149 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block to open debate.

The question being, "Shall **S 1149** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen,

King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Edmunson, Harwood, Mortimer, Moyle, Pence, Thayne. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1149** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1147 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour and Ms. Henbest to open debate.

The question being, "Shall **S 1147** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Wills. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1147** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1157, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

At this time, Mr. Loertscher took the chair.

Mr. Labrador asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in the debate of **S 1157**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1157**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henderson, Kren, Lake, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Raybould, Roberts, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(24), Snodgrass, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 47.

NAYS -- Bock, Boe, Chavez, Chew, Durst, Henbest, Jaquet, Killen, King, Labrador, LeFavour, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shively, Smith(30), Thayne, Trail. Total -- 21.

Absent and excused -- Ring, Stevenson. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1157**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1174** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1159, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **S 1159**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst,

Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Moyle. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1159**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1169 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall **S 1169** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Luker(Luker). Total -- 1.

Absent and excused -- Moyle, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1169** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1182 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **S 1182** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews,

McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Moyle. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1182** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1183 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1183** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, LeFavour, Luker(Luker), Marriott, Mathews, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total -- 59.

NAYS -- Barrett, Bayer, Clark, Harwood, Labrador, Lake, Loertscher, Mortimer, Vander Woude, Wood(35). Total -- 10.

Absent and excused -- Moyle. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1183** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1153 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1153** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bell, Bilbao, Block, Boe, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Crane, Edmunson, Eskridge, Hart, Harwood, Henderson, Killen, King, Lake, LeFavour, Loertscher, Luker(Luker), Mathews, McGeachin, Mortimer, Nielsen, Pasley-Stuart, Patrick, Pence, Rusche, Saylor, Shepherd(2), Shepherd(8), Shirley, Smith(24), Stevenson, Thayn, Wills, Wood(27). Total -- 42.

NAYS -- Bayer, Bedke, Black, Bock, Bolz, Collins, Durst, Hagedorn, Henbest, Jaquet, Kren, Labrador, Marriott, Moyle,

Nonini, Raybould, Ring, Ringo, Roberts, Ruchti, Schaefer, Shively, Smith(30), Snodgrass, Trail, Vander Woude, Wood(35), Mr. Speaker. Total -- 28.

Paired Vote:

AYE -- Rusche. NAY -- Moyle.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **S 1153** passed the House. Title was approved and the bill was ordered returned to the Senate.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 22, 2007

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1123**, as amended, as amended in the House, and **H 210**, as amended, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO S 1123, As Amended

AMENDMENTS TO SECTION 1

On page 2 of the engrossed bill, in line 1, delete "January 1, 2008" and insert: "July 1, 2008"; in line 5, delete "by a second party, or"; in line 6, delete "a call" and insert: "an emergency"; and delete lines 7 through 10, and insert: "suit of an actual or suspected violator of the law, and by reason thereof is temporarily"; in line 33, delete "in the performance of his or her duties" and insert: "while engaged in those activities as provided in section 72-1104, Idaho Code,"; and in line 34, delete "such" and insert: "his or her".

AMENDMENT TO THE BILL

On page 2, following line 54, insert:

"SECTION 2. This act shall be in full force and effect on and after July 1, 2007."

CORRECTION TO TITLE

On page 1, in line 9, following "FINES" insert: "; AND PROVIDING AN EFFECTIVE DATE".

HOUSE AMENDMENT TO S 1123, As Amended

AMENDMENT TO SECTION 1

On page 2 of the engrossed bill, in line 15, following "ceased." insert: "The employer shall withhold, collect and pay income tax on the salary paid to the employee as required by chapter 30, title 63, Idaho Code."

HOUSE AMENDMENT TO H 210, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, delete lines 27 and 28, and insert: "63-602G, Idaho Code, within the".

AMENDMENT TO THE BILL

On page 2, delete lines 20 through 53; and delete pages 3, 4 and 5 and insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE

On page 1, delete lines 5 through 18, and insert: "FOR ASSESSMENT PURPOSES" AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY."

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

S 1123, as amended, as amended in the House, was filed for first reading.

H 210, as amended, as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

S 1179 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1179** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Lake, Loertscher, Luker(Luker),

Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- LeFavour. Total -- 1.

Absent and excused -- Bedke, Labrador, Roberts, Ruchti. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1179** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **S 1184** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Jaquet, King, Kren, Lake, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 63.

NAYS -- Killen, LeFavour, Ringo. Total -- 3.

Absent and excused -- Henderson, Labrador, Roberts, Ruchti. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1184** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 120 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall **SCR 120** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Jaquet, Killen, King, Kren, LeFavour, Loertscher, Luker(Luker), Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo,

Roberts, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Henderson, Labrador, Lake, Ruchti. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SCR 120** adopted and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1174** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR

Boise

March 21, 2007

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 4, H 79, as amended in the Senate, **H 85**, as amended in the Senate, **H 102, H 130**, as amended in the Senate, **H 157, H 158, H 180, H 183, H 189, H 197, H 257, H 258**, and **H 259**

Very truly yours,

/s/ C. L. "BUTCH" OTTER
Governor

OFFICE OF THE GOVERNOR

Boise

March 22, 2007

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 110, H 135, H 190, H 198, and **H 269**

Very truly yours,

/s/ C. L. "BUTCH" OTTER
Governor

OFFICE OF THE GOVERNOR
Boise

March 22, 2007

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 121

within the time limited by law, the same having arrived in the Office of the Governor at the hour 10:25 a.m. on March 16, 2007.

Given legislative concerns about "social engineering," particularly in regard to my proposal for targeted expansion of the grocery tax credit, in the interest of consistency it seems reasonable to conclude that such concern would extend to this legislation as well.

Social engineering by government should be of special concern when it also involves the private property rights of our citizens. **H 121** imposes an unreasonable burden on private property rights as well as legitimate and lawful business activities.

/s/ Very truly yours,
C. L. "BUTCH" OTTER
Governor

H 121 with the Governor's Veto Message attached, was held at the Desk.

March 22, 2007

Mr. Speaker:

I return herewith enrolled **H 56**, as amended in the Senate, **H 28**, as amended in the Senate, **H 171**, as amended in the Senate, **H 248**, **H 34**, **H 167**, as amended, **H 155**, as amended, **H 270**, as amended, **H 98**, **H 296**, **H 297**, **H 250**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **H 303**, **H 304**, **H 306**, and **H 307** which have been signed by the President.

WOOD, Secretary

Enrolled **H 56**, as amended in the Senate, **H 28**, as amended in the Senate, **H 171**, as amended in the Senate, **H 248**, **H 34**, **H 167**, as amended, **H 155**, as amended, **H 270**, as amended, **H 98**, **H 296**, **H 297**, **H 250**, **H 298**, **H 299**, **H 300**, **H 301**, **H 302**, **H 303**, **H 304**, **H 306**, and **H 307** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 22, 2007

Mr. Speaker:

I return herewith enrolled **HJM 4** which has been signed by

the President.

WOOD, Secretary

Enrolled **HJM 4** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 22, 2007

Mr. Speaker:

I return herewith **HCR 26**, **HCR 27**, **HJM 5**, **H 237**, **H 252**, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, **H 320**, and **H 217** which have passed the Senate.

WOOD, Secretary

HCR 26, **HCR 27**, **HJM 5**, **H 237**, **H 252**, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, **H 320**, and **H 217** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 22, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 26**, **HCR 27**, **HJM 5**, **H 237**, **H 252**, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, **H 320**, and **H 217**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 26**, **HCR 27**, **HJM 5**, **H 237**, **H 252**, **H 315**, **H 316**, **H 317**, **H 318**, **H 319**, **H 320**, and **H 217**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 329
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL ONE-TIME MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL ONGOING MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2008; PROVIDING FOR THE USE OF FUNDS; APPROPRIATING ADDITIONAL MONEYS FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2008; AND EXPRESSING LEGISLATIVE INTENT REGARDING USE OF FUNDS.

H 329 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 8:01 a.m., Friday, March 23, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:17 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk